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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

MIKE GLEASON, CHAIRMAN  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTEN K. MAYES  
GARY PIERCE

2007 JUN 26 P 4: 37

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF DIVERSIFIED  
WATER UTILITIES, INC. TO EXTEND ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY IN PINAL COUNTY,  
ARIZONA

DOCKET NO. W-02859A-04-0844

**PROOFS OF PUBLICATION AND  
CERTIFICATION OF MAILING TO  
PROPERTY OWNERS**

Pursuant to the April 30, 2007 Procedural Order, Diversified Water Utilities, Inc., an Arizona public service corporation ("Applicant"), hereby submits this Proof of Publication and Certification of Mailing in the above-captioned matter.

Applicant hereby certifies and avows that on May 16, 2007, the required Public Notice of Hearing was published in East Valley and Scottsdale editions of The Tribune as required by the Procedural Order. The Affidavit of Publication for the Public Notice of Hearing, signed by Sharon Grzyb of The Tribune, is attached hereto as Exhibit 1. Applicant further certifies and avows that on May 25, 2007, a Revised Public Notice of Hearing was published in East Valley and Scottsdale editions of The Tribune, for this matter to reflect the revised caption from WS-02859A-04-9844 to W-02859A-04-0844. The Affidavit of Publication for the Revised Public Notice of Hearing, signed by Sharon Grzyb of The Tribune, is attached hereto as Exhibit 2. Publications were made in accordance with the time requirements of the Procedural Order. Applicant further certifies and avows that it also served both the Notice of Public Hearing and the Revised Notice of Public Hearing to the two (2) property owners within the requested extension area on May 24, 2007, by Certified Mail/Return Receipt Requested. Copies of signed Return Receipts are attached hereto as Exhibit 3.

DATED this 26th day of June, 2007.

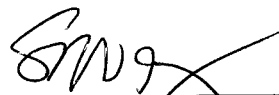
Arizona Corporation Commission  
**DOCKETED**

JUN 26 2007

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| DOCKETED BY | nr |
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DIVERSIFIED WATER UTILITIES, INC.

By:

  
Scott W. Gray, President  
4700 East Thomas Road, Suite 203  
Phoenix, Arizona 85018-7703

1  
2 PROOFS OF AND CERTIFICATE OF MAILING

3 I hereby certify that on this 26<sup>th</sup> day of June, 2007, I caused the foregoing document to  
4 be served on the Arizona Corporation Commission by delivering the original and thirteen (13)  
5 copies of the above to:

6 Docket Control  
7 Arizona Corporation Commission  
8 1200 West Washington Street  
9 Phoenix, Arizona 85007

10 Copies of the foregoing hand-delivered/mailed  
11 this 26<sup>th</sup> day of June, 2007, to:

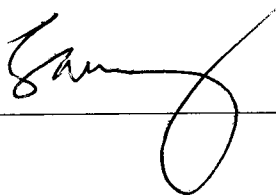
12 Dwight Nodes  
13 Assistant Chief Administrative Law Judge  
14 Arizona Corporation Commission  
15 1200 West Washington Street  
16 Phoenix, Arizona 85007

17 Ernest G. Johnson  
18 Director, Utilities Division  
19 Arizona Corporation Commission  
20 1200 West Washington Street  
21 Phoenix, Arizona 85007

22 Christopher Kempley  
23 Chief Counsel, Legal Division  
24 Arizona Corporation Commission  
25 1200 West Washington Street  
26 Phoenix, Arizona 85007

27 William P. Sullivan, Esq.  
28 Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
501 East Thomas Road  
Phoenix, Arizona 85012  
Attorneys for Diversified Water Utilities, Inc.

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# **Tribune**

**EAST VALLEY • SCOTTSDALE**

Legal Advertising

120 W. First Avenue Mesa, Arizona 85210

Phone (480) 898-6371, Fax (480) 898-6463

**Affidavit of Publication**

Account Number: 0213107

P.O. Number: PUBLIC NOTICE OF HEARING (WS-02859A-04-0844)

Invoice Number: 1860005

Price: \$ 158.50

**STATE OF ARIZONA**  
**County of Maricopa**

I, Sharon Grzyb, Legal Representative, acknowledge that the attached ad was published in a newspaper of general circulation. The dates of the publication are as follows: MAY 16, 2007

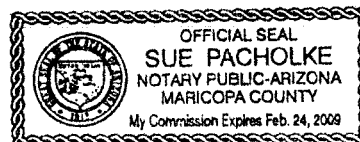
**The Tribune (East Valley & Scottsdale Editions)**

  
\_\_\_\_\_  
Sharon Grzyb, Legal Representative

**STATE OF ARIZONA**  
**COUNTY OF MARICOPA**

On MAY 16, 2007 Sharon Grzyb personally appeared before me, whom I know personally to be the person who signed the above document and he/she proved he/she signed it

  
\_\_\_\_\_  
NOTARY PUBLIC



**PUBLIC NOTICE OF HEARING ON THE  
APPLICATION OF DIVERSIFIED WATER UTILITIES, INC.  
FOR AN EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE  
(WS-02859A-04-0844)**

On November 24, 2004, as subsequently modified, Diversified Water Utilities, Inc. ("Diversified"), filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity ("CC&N") to provide water service to an area in Pinal County, Arizona further described in the application. If the application is granted, Diversified would be the exclusive provider of water service to the proposed area, and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the offices of Diversified, at 2850 East Camelback Road, Suite 200, Phoenix, Arizona 85016 through May 31, 2007, and beginning June 1, 2007, at the new offices of Diversified, at 4700 East Thomas Road, Suite 203, Phoenix, Arizona 85018.

The Commission will hold a hearing on this matter beginning on **July 30, 2007, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to Diversified or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Diversified, a shareholder of Diversified, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before June 29, 2007. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. Failure to intervene will not preclude any potential customer from appearing at the hearing and making a statement on such person's own behalf. You will not, however, receive any further notice of the proceeding unless requested by you.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-3931, E-mail [Lhogan@admin.cc.state.az.us](mailto:Lhogan@admin.cc.state.az.us). Requests should be made as early as possible to allow time to arrange the accommodation.

May 16, 2007/1860005

# **Tribune**

**EAST VALLEY • SCOTTSDALE**

Legal Advertising

120 W. First Avenue Mesa, Arizona 85210

Phone (480) 898-6371, Fax (480) 898-6463

**Affidavit of Publication**

Account Number: 0213107

P.O. Number: REVISED PUBLIC NOTICE

Invoice Number: 1874119

Price: \$ 161.49

**STATE OF ARIZONA**  
**County of Maricopa**

I, Sharon Grzyb, Legal Representative, acknowledge that the attached ad was published in a newspaper of general circulation. The dates of the publication are as follows: MAY 25, 2007

**The Tribune (East Valley & Scottsdale Editions)**

  
Sharon Grzyb, Legal Representative

**STATE OF ARIZONA**  
**COUNTY OF MARICOPA**

On MAY 25, 2007 Sharon Grzyb personally appeared before me, whom I know personally to be the person who signed the above document and he/she proved he/she signed it

  
NOTARY PUBLIC



**REVISED PUBLIC NOTICE OF HEARING ON THE  
APPLICATION OF DIVERSIFIED WATER UTILITIES, INC.  
FOR AN EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE  
(W-02859)-04-0844)**

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1. The name, address, and telephone number of the proposed intervenor and of any party (person or entity) to whom a copy of the motion to intervene is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Diversified, a shareholder of Diversified, etc.).
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May 25, 2007/1874118

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
Mark Winkelman  
State Land Commissioner  
Arizona State Land Dept.  
1616 W. Adams Street  
Phoenix, Az 85001

Article Number

(Transfer from service label)

7006 2760 0005 6048 7909

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Schroeck

☐ Agent☐ Addressee

B. Received by (Printed Name)

SCHROECK

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

MAY 24 2007

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
Penny Wolfswinkel  
Manager  
Wolfkin Farms, L.L.C.  
3850 E. Baseline Rd.  
Suite 103  
Mesa, Az 85206

Article Number

(Transfer from service label)

7006 2760 0005 6048 7787

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Patricia Lynch

☐ Agent☐ Addressee

B. Received by (Printed Name)

Patricia Lynch

C. Date of Delivery

5-24-07

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
Kathy Aleman  
Wolfkin Farms L.L.C.  
c/o Southwest Properties, Inc.  
3850 E. Baseline Rd.  
Suite 123  
Mesa, Az 85206

Article Number

(Transfer from service label)

7006 2760 0005 6048 7794

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Patricia Lynch

☐ Agent☐ Addressee

B. Received by (Printed Name)

Patricia Lynch

C. Date of Delivery

5-24-07

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Exhibit 3